

*Congressional Hearing Testimony
Riverhead Town Fire Marshal
May 7th 2007 – Brookhaven Town Hall*

Good morning distinguished members of the Congressional Subcommittee on Coast Guard and Maritime Transportation.

My name is Bruce Johnson and I'm the Fire Marshal for the Town of Riverhead. I appreciate the opportunity to testify today before this distinguished Congressional Committee as you review public safety concerns related to LNG Safety and Broadwater Energy's proposal for an LNG Storage and regasification facility (FSRU – Floating Storage and regasification Unit) to be located in the Long Island Sound. For the record, my professional qualifications include being Riverhead Town Fire Marshal since April 1998 and I have over 25 years experience as a volunteer firefighter. I have a Bachelor of Science Degree in Fire Service Administration and a Masters degree in Business Administration. I hold numerous certifications as a building and fire code enforcement official. I am a nationally certified fire investigator and nationally certified fire instructor. I have been a Deputy Chief Fire Instructor for the Suffolk County Fire Academy for over eight years. I am also an Adjunct Instructor at SUNY-Empire State College, teaching upper-level Fire Science and Emergency Management courses for the past nine years. Most recently, I participated in the Coast Guard PAWSA (Port and Waterway Safety Assessment) for the Long Island Sound.

As part of my comments here today, I would like to reference two important documents that are relevant to these proceedings. First is the Coast Guard ***Waterway Suitability Assessment*** ("WSA") report. The second is the ***Fire Service Guidance for Participating in LNG Terminal Evaluation, Siting and Operations***, which was prepared for the National Association of State Fire Marshals, January 31, 2007. A copy of the latter report has been furnished to this committee along with my written testimony.

As the Federal Energy Regulatory Commission “FERC” continues its review of the Broadwater Energy Project, local, county and state fire, police and emergency management officials from New York, Connecticut and Rhode Island must now continue the work began by the Coast Guard (detailed in the WSA released in September 2006) with regard to safety and security assessment. Working in close cooperation with the Coast Guard, FERC and Broadwater Energy, the local, county and state emergency first responders must address their agency’s safety and security concerns and identify the appropriate resources that will be necessary to mitigate and/or manage all the identified hazards and risks. Unfortunately, this process will be a time consuming one. Until local, county and state emergency first responders have completed their due diligence safety and security analysis, I don’t believe we can competently answer the safety questions presently in the minds of this subcommittee, the public or our elected officials,

Many public comments have focused on the possibility of a catastrophic fire event, either accidental or deliberate, as the primary hazard related to this project. This is certainly an area of concern to all emergency first responders from New York, Connecticut, Rhode Island and the Coast Guard. However, there are numerous other potential hazards that have been identified and analyzed in the WSA. Local, county and state emergency responders must now participate in the process of evaluating the proposed mitigation and risk management strategies and evaluate the availability and capability of their agency resources. This not only includes fire events, but other emergencies that may trigger the response of local, county or state Fire, EMS, Rescue, Haz-Mat or Police resources,

Most, if not all, of the local, county and state emergency responders presently have had little training or experience with LNG storage and regassification or the Broadwater proposal for an FSRU. We are only beginning to acquire the knowledge needed to competently understand the WSA and the hazards and risk analysis required for the development of a comprehensive Emergency Response Plan that is necessitated by the placement of the Broadwater Energy project within our emergency response jurisdiction.

Therefore, it is my recommendation that over the next several months, the Coast Guard and Broadwater Energy begin the task of identifying ALL the emergency response agencies that have jurisdictional responsibility for public safety and could conceivably be first responders to any incident related to the Broadwater facility or its supporting operations. It is critical that all emergency response stakeholders be identified and provided the opportunity to participate in the hazard and risk mitigation and response planning *process*. Each agency will need to commit a responsible agency representative to participate in a **Safety, Security and Emergency Management Planning and Response Task Group** that will most likely require 18 months to first complete an education process in LNG and then work with the Coast Guard, FERC and Broadwater to address mitigation and response strategies and draft an Emergency Response Plan.

It should not be the responsibility of this Task Group to render a policy position in favor or opposition to the Broadwater proposal. Their mission should be a due diligence safety analysis based on fire and emergency management best practices and regulations such as those outlined in: section 311 of the Federal Energy Policy Act of 2005; the NASFM LNG Guidance document; SIGTTO Liquefied Gas Fire Hazard Management document; the “Sandia” report and NFPA 471, 472 and 1600 and other appropriate resources.

Under guidance from the Coast Guard, FERC and Broadwater Energy need to be active participants in this Task Group process along with all emergency responders for several reasons;

1. To share their expertise and experience with LNG transportation, storage and regassification
2. To provide engineering analysis specific to the Broadwater Energy project; as this project is a hybrid – neither ship nor fixed location facility
3. To provide access to experts such as Fire Protection Engineers specializing in LNG Facilities and/or Educational Institutions such as Texas A & M University who have on-going fire research programs pertaining to LNG

4. To provide access to Facility Operators and Emergency Responders responsible for currently operating LNG Storage and regassification facilities such as those operating at Everett, Massachusetts or Cove Point, Maryland
5. Broadwater, as the proposal applicant, should be responsible to pay reasonable costs associated with the work of this Safety, Security and Emergency Management Planning and Response Task Group as related to education, training and/or site visits.

As the final step following this safety and security analysis, with guidance from the Coast Guard and FERC, this Task Group should be given the responsibility of conducting the review of currently available emergency response personnel and equipment capabilities. This will allow for a determination of what additional emergency response equipment, personnel and/or specialized emergency responder training that will be necessary if the proposed Broadwater LNG project is sited in the Long Island Sound. This will be a critical component in the final report because it will provide the comprehensive inventory of currently available resources and personnel from municipalities in three states. If, after inventorying currently available assets, it is determined that additional local, county or state special equipment, resources, personnel and/or training are necessary, the appropriate regulatory agencies can determine how those resources will be provided and who should bear the associated costs.

In conclusion, there is still much work to be done before the questions about how to best mitigate and/or manage safety and security risks for this proposed LNG facility can be answered. Likewise, we are not presently able to determine what additional resources may be needed at the local, county or state level nor the estimated their cost. I hope that following this hearing, the work necessary to form the recommended Safety, Security and Emergency Management Planning and Response Task Group will begin and that ALL agencies will participate through commitment of the appropriate agency representative in this important safety and security planning process.

The completion of work by this Task Group will provide the draft comprehensive emergency response plan and the ability to answer the many questions in the minds of the public and the members of this distinguished Congressional Subcommittee.

Thank you for allowing me to participate in today's Hearing.